

Serial No. 09/445,135

PATENT  
RCA 88682IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Darrel Wayne Randall, Daniel Richard Schneidewend, Michael Joseph McLane, Megan Louise Brown and Mark Sheridan Westlake

Serial Number: 09/445,135

Filed: 12/3/99

For: SYSTEM AND METHOD FOR SORTING PROGRAM GUIDE INFORMATION

FILING OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 -  
RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS


Hon. Assistant Commissioner of Patents and Trademarks  
 Washington, D.C. 20231  
 Box PCT

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed January 27, 2000, in the above-identified application, Applicant hereby submits the following:

- 1) Executed Declaration of the inventor.
  - 3) A surcharge of \$130.00 required under 37 CFR 1.16(e) for filing the Declaration on a date later than the filing date of the application.
  - 4) A copy of Notice to File Missing Requirements Under 35 U.S.C. 371 (PCT/DO/EO/905).
  - 5) A Petition for a two month Extension of Time.
- Please charge the cost of the surcharge to Deposit Account No. 07-0832. Please charge any additional fees and credit any overpayments to Deposit Account No. 07-0832.

Respectfully submitted,  
 Darrel Wayne Randall, Daniel Richard Schneidewend, Michael Joseph McLane, Megan Louise Brown and Mark Sheridan Westlake

  
 Frank Y. Liao  
 Attorney for Applicant  
 Reg. No. 40,065  
 (609) 734-9497

THOMSON multimedia Licensing Inc.  
 P.O. Box 5312  
 Princeton, NJ 08543-5312

DATE: March 8 2000Certificate of Mailing under 37 CFR 1.8

I hereby certify that this response to a Notice to File Missing Requirements, is being deposited with the United States Postal Service as first class mail in a postage paid envelope addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231 on the date indicated below.

Date: 3/8/00 Signature: Marie E. Linke  
 Marie E. Linke

04/07/2000 WCLAYBRD 00000054 070832 09445135

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2000**Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ ) 510.

**Complete if Known**

Application Number	09/445,135
Filing Date	12/3/99
First Named Inventor	D.W. Randall et al.
Examiner Name	
Group / Art Unit	
Attorney Docket No.	RCA 88682

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-0832

Deposit Account Name THOMSON multimedia  
Licensing Inc.

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR §§ 1.16 and 1.17

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) ---

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 78	202 39	Independent claims in excess of 3	
104 260	204 130	Multiple dependent claim, if not paid	
109 78	209 39	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ ) ---

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	380.
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)			
Other fee (specify)			

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 510.

**SUBMITTED BY**

Name (Print/Type)	Frank Y. Liao	Registration No. (Attorney/Agent)	40065	Telephone	609-734-9497
Signature	<i>Frank Y. Liao</i>	Date	3/8/00		

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09/445135

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

88682

U.S. APPLICATION NO. 09/445135  
DATE RECEIVED FEB 02 1999  
FEDERAL  
FIRST NAMED APPLICANT  
ATTY. DOCKET NO. RC88682  
INTERNATIONAL APPLICATION NO. PCT/US98/11636  
I.A. FILING DATE 06/05/98  
PRIORITY DATE 06/06/97  
DATE MAILED: 01/27/00

JOSEPH S TRIPOLI  
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2 INDEPENDENCE WAY  
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PRINCETON NJ 08543-5312

IS2S

TK

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☐ an Elected Office (37 CFR 1.495):

☐ U.S. Basic National Fee.

☐ Copy of the international application in:

- ☐ a non-English language.  
☐ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_

☐ Information Disclosure Statement(s) filed 03 Dec 99 and \_\_\_\_\_

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☐ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other: \_\_\_\_\_

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-3889  
Patent and Trademark Processing  
(703) 305-3889